

Amendment No. 1 to HB1248

Hulsey  
Signature of Sponsor

**AMEND Senate Bill No. 756\***

**House Bill No. 1248**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 45-2-1204(b), is amended by adding the following as a new subdivision:

(4) The Tennessee bureau of investigation's elder financial reporting system pursuant to Section 4.

SECTION 2. Tennessee Code Annotated, Section 45-2-1204(c), is amended by designating the current language as subdivision (c)(1) and adding the following subdivision (c)(2):

(2) Notwithstanding subdivision (c)(1), the financial service provider shall provide information to aid in the investigation of suspected elder financial exploitation pursuant to Section 3.

SECTION 3. Tennessee Code Annotated, Section 45-10-103, is amended by adding the following as a new subdivision:

( ) The furnishing by a financial institution of access to, or copies of, records that are relevant to suspected, actual, or attempted financial exploitation, as defined in § 45-2-1202, to the Tennessee bureau of investigation or an elder abuse investigator, as described in Section 5, if a report is made pursuant to § 45-2-1204. The records provided pursuant to this subdivision ( ) must be limited to records relating to the most recent transaction or transactions that may comprise financial exploitation not to exceed thirty (30) calendar days prior to the first suspected financial exploitation transaction or thirty (30) calendar days after the last suspected financial exploitation transaction.

SECTION 4. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) By no later than October 1, 2023, the Tennessee bureau of investigation shall create an elder financial exploitation reporting system that accepts reports from financial institutions as described in § 45-2-1204(b).

(b) Upon receiving a report of suspected elder financial exploitation, the bureau shall coordinate with the district attorney general in the appropriate judicial district and, when appropriate, with other law enforcement agencies and adult protective services for additional investigation of the reported exploitation. The bureau may share appropriate information with the district attorney general, other law enforcement agencies, and adult protective services to aid in the investigation of the reported exploitation.

SECTION 5. Tennessee Code Annotated, Title 8, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) There is created an elder abuse investigator position within the district attorney general's office of each judicial district. An elder abuse investigator shall be employed and compensated as provided for a criminal investigator pursuant to part 2 of this chapter.

(b) An elder abuse investigator may investigate:

(1) Suspected cases of physical abuse, neglect, or financial exploitation of individuals sixty-five (65) years of age or older or of otherwise vulnerable adults;

(2) Reports of financial exploitation made to the Tennessee bureau of investigation's elder financial exploitation reporting system; and

(3) Other crimes as requested by the district attorney general.

SECTION 6. Sections 1 through 3 of this act take effect October 1, 2023, the public welfare requiring it. Section 4 of this act takes effect upon becoming a law, the public welfare

requiring it. All remaining sections of this act take effect July 1, 2023, the public welfare requiring it.